REMARKS

Receipt of the Office Action together with Notice to Comply With Requirements for Applications Containing Sequence Disclosures, which are mailed September 7, 2000, is acknowledged. The specification has been amended to insert/correct required references to SEQ ID NOS of the Sequence Listing filed concurrently herewith.

Restriction/Election

Applicants hereby provisionally elect with traverse the claims of Group I, claims 1, 4, 5 and 10, drawn to the first technical feature and first method of use of a neuroactive peptide, the method drawn to modulating neuronal activity, for initial prosecution in the subject application. Applicants also provisionally elect "modifying learning and facilitating memory retrieval" as the species member of Group I for initial examination on the merits. Claims 1, 4 and 5 read on methods of using modifying learning and facilitating memory retrieval as biological activity. Applicants, of course, reserve the right to file divisional applications covering the subject matter of the non-elected claims.

Applicants traverse the restriction requirement to the extent that the Examiner improperly imposes the restriction requirement between Groups I and III. The Examiner urges that Groups I and III lack a single general inventive concept under PCT Rule 13.1. Specifically, with respect to claims drawn to methods, the Examiner asserts that the methods differ in steps, reagents, technical features and outcomes including methods of modulating neuronal activity and methods of treating disease.

Under PCT Rule 13.2, however, unity of invention exists when there is a technical relationship among the claimed inventions involving one or more special technical features. The term, "special technical features" is defined as meaning those technical features that define a contribution each of the inventions considered as a whole makes over the prior art. MPEP 1850.

Methods of claims 1, 4, 5 and 10 in Group I share the same special technical feature with those of claims 6 and 9 in Group III, in that all of these methods use a neuroactive peptide having at least one of the biological activities of angiotensin IV as defined in both claims 1 and 6. The Office Action also admits that methods of Group III use the technical

feature of methods of Group I, which is using a neuroactive peptide as defined in claims 1 and 6.

Moreover, the Examiner has failed to show that there is an undue burden to search and examine Groups I and III together. As demonstrated above, Groups I and III relate to the same special technical feature, thus, it would not be an undue burden to search Groups I and III together.

In view of the foregoing, unity of invention exists between Groups I and III of the present application. Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

It is respectfully urged that the present claims are in condition for allowance. An early notice to this effect is earnestly solicited. Should there be any questions, the Examiner is courteously invited to contact the undersigned at the telephone number shown below.

Respectfully submitted,

December 7, 2000
Date

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